761551N25A - SH-AD (11/90)



DATE: March 16, 2003

OFFICE CORRESPONDENCE FILE:

FROM: JOHNNY G. JURADO, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: RICHARD A. ADAMS, CAPTAIN
LENNOX STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS NON-HIT SHOOTING, MAY 18, 2003, INVESTIGATION #2107332 (aka #2088373)**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on May 18, 2003.

The Committee met on March 11, 2004, and consisted of myself and Commanders Kenneth Brazile (Commander of the Department) and Michael Savidan (Leadership & Training Division). The Committee deemed:

- as **Founded** the allegation that Deputy Joseph Garrido #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/040.97, Safeguarding Persons in Custody, and
- as **Founded** the allegation that Deputy Joseph Garrido [redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, and
- as **Founded** the allegation that Deputy Christopher Lio [redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/040.97, Safeguarding Persons in Custody, and
- as **Founded** the allegation that Deputy Christopher Lio [redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards.

The Committee recommended that Deputy Garrido be suspended for a period of **five (5) days** without pay from the position as Deputy. The Committee recommended that Deputy Lio be suspended for a period of **five (5) days** without pay from the position as Deputy. Additionally, the Committee determined that the use of force by Deputy Garrido was within Department policy.

JGJ:KRK:kk

TABLE OF CONTENTS

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE NARRATIVE
IV 2107332
SH 2088373
URN: 403-04787-0375-055

Subjects:	**GARRIDO, Joseph R. , DEPUTY, #[redacted]** **LIO, Christopher T. , DEPUTY, #[redacted]** **LENNOX STATION** **Field Operations Region II**
Date:	**May 18, 2003**
Location:	**1400 block of 105th Street, Lennox**
Investigator:	**Sergeant William Hines**

Case Synopsis:

This case pertains to allegations that Deputies Joseph Garrido and Christopher Lio violated Policy Sections *3-01/050.10 Performance to Standards and 3-01/040.97 Safeguarding Persons in Custody.*

On May 18, 2003, Deputies Garrido and Lio, Lennox Station, were conducting a pedestrian stop on a possible 187 suspect. Deputy Garrido handcuffed the detainee and started a pat down search. Both deputies heard shots being fired nearby. Deputy Garrido turned over the handcuffed suspect to Deputy Lio and focused on the area that the gun shots were coming from. Deputy Garrido saw a male, Black, running in his direction carrying a gun and pointing it toward him. Deputy Garrido fired three rounds at the armed suspect. The suspect was not hit and immediately turned and fled the area. The suspect was subsequently never found. Additionally, the initial detainee on the pedestrian stop fled the scene after Deputy Lio also turned his attention on the nearby gun shots.

The facts of the non-hit shooting were presented to the Executive Force Review Committee on January 8, 2004. As a result of that presentation, the Executive Force Review Committee deemed the shooting within Departmental standards, however, the Committee requested an Internal Affairs Bureau investigation with Deputies Garrido and Lio named as Subjects with the alleged policy violations of *Performance to Standards and Safeguarding Persons in Custody*. The Committee's main concerns were communications, tactics and allowing a handcuffed possible 187 suspect to flee from their custody. **Refer to Exhibit A-IAB File SH 2088373 for the facts surrounding the non-hit shooting.**

Deputy Christopher Lio was interviewed as a Subject in this case on February 5, 2004, at the Internal Affairs Bureau by Sergeants William Hines and Elier Morejon. Also present during the interview was Mitch Kander from Green and Shinee. Prior to his interview, copies of all previous reports and a transcription of his prior interview were provided to Deputy Lio in accordance with the Peace Officer's Bill of Rights. Subject Lio said that he had reviewed the reports and interview transcription prior to this interview. The interview focused specifically on Safeguarding Persons in Custody and Performance to Standards as related to communications and tactics. The interview was tape recorded and transcribed. The transcription of Deputy Lio's interview is included in this case file under **Subjects' Transcribed Interviews** section. Additionally, the interview is summarized as follows:

Regarding the possible policy violation of Safeguarding Persons in Custody:

During the original detention of the detainee, who both Deputies Lio and Garrido thought was a possible 187 suspect by the street name of "[redacted]" Deputy Lio related that as the detainee was being handcuffed by Deputy Garrido, Lio felt that the detainee was not "[redacted]" because "[redacted]" has a broader nose and darker complexion than the detainee.

> **IAB Note:** A few seconds later in the interview, Deputy Lio said that as the detainee was walking toward the patrol car, and prior to Garrido handcuffing him, Lio knew that the detainee was not "[redacted]" However, he did not communicate this to Garrido. He explained that he was letting Garrido form his own opinion about the detainee.

According to Deputy Lio, Deputy Garrido did not communicate to Lio that he felt the detainee was not "[redacted]" Almost simultaneously, as the handcuffs were placed on the detainee, Deputy Lio heard several gun shots. Deputy Garrido had control of the detainee and physically passed him to Deputy Lio. Deputy Garrido did not communicate to Lio what was to be done with the handcuffed detainee. Deputy Lio did not ask Garrido what was to be done with the handcuffed detainee. Deputy Lio related at this point, there was not enough time for Garrido to advise him what to do with the detainee. As Deputy Lio now had the control of the detainee, he made the decision to push the detainee out of the way and focus on Deputy Garrido because Garrido started running. When specifically asked what options he considered with the suspect, Deputy Lio stated, "I didn't have time to put him in the back seat of my car. I didn't... if I put him in the back seat of my car, and I drove him into the kill zone, then he would be in danger. And if he's not even the right guy, then his life would be in danger also. So, putting him in the back seat of the car was not an option for me. And I pushed him aside. And he wasn't the guy. He absolutely wasn't the guy that we were looking for. And my immediate concern then focused on Joe's safety." Deputy Lio added that he did not have time to remove the handcuffs from the detainee. Deputy Lio did not recall any conversation he might of had with the detainee telling him to stay or leave the area. Deputy Lio vaguely recalled telling the suspect to "get out of the way."

Deputy Lio said that the decision to let the suspect leave was solely his decision, not Deputy Garrido's.

Regarding the possible policy violation of Performance to Standards as related to communications and tactics:

> **IAB Note:** During this portion of the interview, Deputy Lio referred to a copy of his original sketch of the incident. He added in "red" the direction of Deputy Garrido's path as he recalled it. **Refer to Exhibit B**

According to Deputy Lio, upon hearing the gun shots, Deputy Garrido immediately started running eastbound on 105th Street. Lio was asked if he put out a broadcast of the shots fired and he said, "No. I think that Joe was on the radio."

> **IAB Note:** Lio later corrected himself by saying that Garrido was "investigating" and not on the radio. Deputy Lio added that he did not put out a broadcast because he "wasn't even sure what kind of shots they were. It just sounded weird, the shots." When asked a second time why he did not put out a broadcast regarding the gun shots, Lio said, "Cause I, I didn't have time, and Joe was going, seeing where the shots were coming from. And I knew he would put out something."

Deputy Lio related that when Deputy Garrido first started running eastbound on 105th Street, Garrido said something to Lio, but Lio could not remember what was said. Deputy Lio did recall telling Garrido to get into the car. According to Lio, there was no discussion regarding cover and Lio did not consider using the back of his patrol car for cover. Deputy Lio felt it was important to follow Garrido who was on foot in front of the patrol car. Deputy Lio then followed in the patrol car. Deputy Lio said that there was no communication from Garrido regarding an armed suspect.

> **IAB Note:** During Deputy Garrido's interview, he related that he did not run eastbound on the street as indicated by Deputy Lio. According to Garrido, he ran in a south east direction taking cover behind the cars parked on the south curb line of 105th Street.

Deputy Lio said he heard an additional three gun shots while he was in the patrol car, eastbound on 105th Street, behind Deputy Garrido. At the time he heard these additional gun shots, Garrido was standing in an area in front of [redacted]105th Street. Lio further related that he did not know that Deputy Garrido had fired his gun.

> **IAB Note:** According to Deputy Garrido's first interview and scene investigation, it was determined that Garrido fired these three rounds within a few seconds after the first gun shots and in an area just south east of the patrol car before Deputy Lio entered the patrol car and started driving.

Deputy Lio said that he did not put out a broadcast when he heard these additional gun shots because, "At that time, Joe was already on the air."

> **IAB Note:** According to Deputy Garrido, he did not immediately broadcast the 998 until several seconds after he fired at the suspect and after he moved into a position of cover across from [redacted] 105th Street. According to Deputy Lio during his interview, he heard Deputy Garrido broadcast the 998 when he (Garrido) was standing on the north side of 105th Street in front of the apartments at [redacted] 105th Street.

When specifically asked if there was any communication between him and Garrido while in the area of [redacted] 105th Street, Deputy Lio said that Garrido had told him that a male, Black, had just run down the driveway of the same address.

> **IAB Note:** According to Deputy Garrido, he did not recall specifically telling Lio that he saw a male, Black, running down the driveway at [redacted] 105th Street.

Deputy Lio said he did see a male, Black, running down the driveway, limping. Deputy Lio was crossing the mouth of the driveway when he saw this male, Black. Deputy Lio, later in the interview, acknowledged that going across the mouth of the driveway put him in a vulnerable position. When specifically asked if he considered going back to his radio car for cover, Deputy Lio said, "No. I just got out to go out with my partner." When asked why he wouldn't consider using the radio car for cover, Lio answered, "It's cumbersome. Garrido was in front of me."

> **IAB Note:** According to Deputy Garrido, Garrido was on the south side of the street at this point and not in front of Deputy Lio. Also note the fact that although Deputy Lio said he got out of the patrol car to go with his partner, he did not go with his partner. Deputy Lio said he went across the mouth of the driveway instead, and ended up on the corner of Normandie and 105th Street.

Deputy Lio was specifically asked, "Between... from the time you hear the shots, and the time you get to this point here [front of [redacted] 105th Street], other than Joe telling you that there's a guy running down the driveway, was there ever any other communication between the two of you?" Deputy Lio answered, "No."

> **IAB Note:** During the end of Deputy Lio's interview, we discussed off the record, the discrepancies between his recollection of the direction of Garrido's path and Deputy Garrido's recollection of the direction of his own path. i.e. Garrido recalled running in a south east direction and taking cover behind parked cars on the south side of 105th Street and Lio recalled that Garrido ran eastbound on 105th Street, basically on the north side of the street. Also discussed was the discrepancy of Garrido's position when he fired. Back on the record, Deputy Lio was asked how

he would respond to these discrepancies and Deputy Lio said, "That Garrido was fast. And the moment that I had the suspect, I was, I wasn't... I didn't have visual of Garrido at that time. So, it might have been that, during that point, when he went across the street." Regarding the location Garrido was standing when he heard the three additional shots, Deputy Lio said that he remembers that Garrido was standing in the area in front of [redacted] 105th Street.

At the conclusion of Deputy Lio's interview he was asked, if given the same set of circumstances, would he do the same thing in the future regarding a handcuffed detainee as he did during this incident and he related that he would not change what he would do. Deputy Lio was also asked a similar question regarding tactics and communication and if he would change his actions in a similar set of circumstances and he related that he would raise his level of communications saying, "I'd always improve my tactics and communications."

When asked if he had anything to add, Deputy Lio stated, "It's just that I've never been in this kind of situation before, and I used the best tactics that I could at, at the time that I had."

Deputy Joseph Garrido was interviewed as a Subject in this case on February 11, 2004, at the Internal Affairs Bureau by Sergeants William Hines and Elier Morejon. Also present during the interview was Mitch Kander from Green and Shinee. Prior to his interview, copies of all previous reports and a transcription of his prior interview were provided to him in accordance with the Peace Officer's Bill of Rights. Subject Garrido said that he had reviewed the reports and interview transcription prior to this interview. The interview focused specifically on Safeguarding Persons in Custody and Performance to Standards as related to communications and tactics. The interview was tape recorded and transcribed. The transcription of Deputy Garrido's interview is included in this case file under **Subjects' Transcribed Interviews** section. Additionally, the interview is summarized as follows:

Regarding the possible policy violation of Safeguarding Persons in Custody:

During the original detention, both Deputies Lio and Garrido thought the detainee was a possible 187 suspect by the street name of "[redacted]" Deputy Garrido related that he made the decision to handcuff the detainee. This decision was based on the fact that the detainee had on a bulky jacket and '[redacted]' is known to carry a gun.

After the detainee was handcuffed and before he heard the gun shots, Deputy Garrido had determined that the detainee was not "[redacted]" More specifically, it was while Deputy Garrido was conducting a pat down search of the detainee and Garrido got a closer look at the detainee's nose. '[redacted]' has a much broader nose according to Garrido. Deputy Garrido did not verbally advise Lio that the detainee was not "[redacted]" however, while engaged in conversation with the detainee, the detainee denied that he was '[redacted]' In response to not specifically telling his partner that the detainee was not '[redacted]' Deputy Garrido said, "But we had been partners for about six months and without

talking to each other I knew that he knew it wasn't the person." Garrido added that he was "one hundred percent" sure that Deputy Lio knew that the detainee was not "[redacted]"

When specifically asked what he did with the handcuffed detainee once he heard the gun shots, Garrido said, "I don't recall if I pushed him. In thinking back now I even think that the detainee, he leaned to begin running himself. He either leaned or I pushed, but he heard the shots and I believe that he felt it as a threat and he wanted to get out of the area also." Deputy Garrido went on to say that upon hearing the gun shots, he thought that possibly some friends or "home boys" of the detainee were shooting at them in an effort to effect his escape, or simply they were being shot at by gang members. Garrido said he further felt that another possibility was that the detainee was possibly in danger by rival gang members.

Deputy Garrido was asked if there was any conversation between him and Lio as what to do with the detainee and Garrido said, "No. There was no time to. I've never been in a situation of that type. I heard the rounds, they were, they sounded very close to me, I thought I was going to be a victim of a shooting, I thought the gun shots were towards us and I wanted to do what I could to safeguard myself and my partner, at the same time, the detainee." Deputy Garrido acknowledged the fact that if the goal of the shooter was to get the detainee "cut loose," the shooter accomplished his goal.

Regarding other options with the handcuffed detainee, Deputy Garrido said that there was no time to un-handcuff the detainee and if he would have placed him in the back seat of the radio car, it would have put the detainee in additional danger.

Regarding the possible policy violation of Performance to Standards as related to communications and tactics:

> **IAB Note:** During this portion of the interview, Deputy Garrido referred to a diagram that he had sketched of the scene location and his path during the incident. **Refer to Exhibit C**

According to Deputy Garrido, upon hearing the gun shots, he immediately started running for cover in a south east direction toward some parked cars along the south curb line of 105th Street. As Garrido was running he saw the suspect running toward him with a gun in his right hand, pointed toward him. Garrido fired three rounds at the suspect. After firing at the suspect, Garrido maintained cover behind the parked cars along the south curb line as he continued eastbound toward the last seen location of the suspect, down the driveway of [redacted] 105th Street.

Regarding Lio's path, Garrido could only recall that Lio drove the patrol car eastbound on 105th Street. At some point, Lio got out of the patrol car and ended up on the corner of Normandie and 105th. Deputy Garrido could not recall any of Deputy Lio's path after Deputy Lio exited the patrol car. Deputy Garrido said that he thought Lio ran behind him at some point, but again, he was not sure. Deputy Garrido added, "I know for a fact that Chris did not cross the front of [redacted] in front of me.

IAB Note: Lio related during both of his interviews that he did cross the mouth of the driveway at [redacted] 105th Street, which would have been in front of Garrido's position.

Regarding communication with Deputy Lio about the last known direction of the suspect, Deputy Garrido said that he could not remember telling Lio that the armed suspect had ran down the driveway at [redacted] 105th Street. Garrido said he might have either said something or just pointed down the driveway to indicate that was where the suspect ran, however, Deputy Garrido was not sure.

Deputy Garrido related that he did not put out a broadcast after hearing the original four to seven gun shots because he felt that he did not have time. He was more concerned with his safety. Deputy Garrido acknowledged that there was no communication between him and Lio regarding cover, location of cover, location of the suspect or where the gun shots were coming from. Garrido also did not advise Lio about the armed suspect running in their direction. He again explained that there was no time for the communication.

When asked why he did not immediately broadcast his 998, Deputy Garrido said that he wanted to get into a position of cover and feel safe before he put out a broadcast. As to why he didn't stay with his partner, Deputy Garrido said, "Because I wanted to get a tactical position of where the suspect was." He also explained that a van was partially blocking his view of two or three other gang members to the north of him, who were also possibly shooting at him.

IAB Note: This van is depicted in the Shooting Case book in Exhibit C & D.

Regarding the possibility of using the patrol car for cover, Deputy Garrido explained that he was already near the front of the patrol car and felt that he should quickly move to the south side of the street for cover behind the cars parked near the south curb. Regarding shooting at the suspect, prior to reaching cover, Garrido explained, "Because the suspect, while he was running, he had already been pointing the gun. He was pointing the gun towards me. I thought he was going to shoot... At me or Chris and that's why I engaged him prior to him getting off any more rounds."

When asked if he had ever been trained to split from his partner in these type of circumstances, Deputy Garrido said, "The Department has trained us that if shots are being fired towards us and you're standing in a group or the best way, is to disburse so that you have multiple targets and so that the aggressor has multiple targets." He also said that the shots could have been coming from more than one area.

As for why he did not get back into the patrol car when Lio yelled for him to get in the car, Garrido said he didn't want to leave his position of cover and go back in the street again.

Regarding his radio traffic, Garrido explained that by the time he put out the various information on the radio, the shooting incident had obviously ended and he was reassessing the situation. The subsequent radio traffic was a result of this reassessment. **Refer to Exhibit D-Transcription of radio traffic**

At the conclusion of Deputy Garrido's interview he was asked, if given the same set of circumstances, would he do the same thing in the future regarding a handcuffed detainee as he did during this incident and he related that he would not change what he would do. Deputy Garrido was also asked a similar question regarding tactics and communication and if he would change his actions in a similar set of circumstances and he said, "In that situation there's no time to do anything differently. I don't think there would have been time to do anything differently."

At the conclusion of the interview, Deputy Garrido took a short break with his attorney, Mitch Kander. After the break, Deputy Garrido made the following statement, "As far as the incident itself, it was a learning process and I wanted to say that if an incident of this type occurred again, that I would try my best to communicate more with my partner as far as to identify, tell him where the actual threat was or whatever information I could give him, and I feel that just the fact that it was an emergent situation, I didn't know, my mind probably was processing so much that I didn't know what to say at that time." Deputy Garrido then agreed that there is always room for improvement in these incidents.

Case submitted on February 20, 2004.

9/15/03



LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

INCIDENT DATE: May 18, 2003

INTERNAL AFFAIRS BUREAU INVESTIGATIVE REPORT

CONFIDENTIAL

SH 2088373

TABLE OF CONTENTS

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.? ☐	Hit? ☐
05-18-2003	LENNOX STATION		

Incident Information

URN: 403-04787-0375-055	Date: 05-18-2003	Time: 1805

City or Station: LENNOX

Location: [redacted] W. 105TH STREET LENNOX

Nature of Incident: DEPUTIES WERE ARRESTING ONE SUSPECT WHEN THEY SAW A MAN WITH A GUN AND THEY HEARD SHOTS. FEARING FOR THEIR SAFETY ONE DEPUTY FIRED AT THE MAN WITH THE GUN.

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, (Street) [circled], Other: ________

Lighting (*circle only one*): Darkness, (Daylight) [circled], Other, Street Lights

Weather (*circle only one*): (Clear) [circled], Cloudy, Fog, Rain

Distance: 56+YARDS

Incident Type (*circle one or more*): Accidental, (Armed Person) [circled], Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Other: ________

Initiated by (*circle only one*): Arrest Warrant, Call, (Observation) [circled], One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, (Routine Patrol) [circled]

Aero Unit? ☒ Canine Unit? ☒

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
3	UNKNOWN

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	LIO	CHRISTOPHER	T.	EM (PM) [circled] Day	(Regular) [circled] Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.		
[redacted]		[redacted]		
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Last Name	**First Name**	**M.I.**		
[redacted]	[redacted]	[redacted]		
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Last Name	**First Name**	**M.I.**		
[redacted]	[redacted]	NONE		
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
[redacted]	[redacted]	[redacted]	NONE	[redacted]

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
	MONTEZ	FRANK		(On Duty) [circled], Present during shooting, Witness to shooting, Involved in shooting
[redacted]	COOK	FRED	E.	(On Duty) [circled], Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
	ROBERTS	JOHN	NMN

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	PLETT	NORINE	NMN

PSTD Use Only

SH # SH2088373

SH-R-438A rev. 3/97

See Reverse

Officer Involved Shooting

URN: 403-04787-0375-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
05-18-2003	1845	07-31-2003	

Employee #	Last Name	First Name	M.I
[redacted]	HINES	WILLIAM	L.
[redacted]	MOREJON	ELIER	
[redacted]	JENNINGS	RICKEY	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

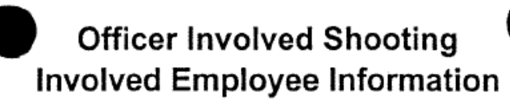
Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED (one code per block)

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
E#1	S#1	FH	BR	9	Y	Y	NN	
S#1	E#1	FH	??	??			NN	

See Front Side



Officer Involved Shooting
Involved Employee Information

URN: 403-04787-0375-055

Involved Employee

E 1

Employee # [redacted]	Last Name GARRIDO		First Name JOSEPH	M.I. R.
Sex: M Race: H	Rank: DEPUTY	Unit Assignment: LENNOX	Work Assignment (Unit #, Module, etc.): 31E	
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:	
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #	Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors: WORKING IN A TWO PERSON CAR	
Age: 30 Height: 5' 10' Weight: 170				
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]		Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☐	Number of Prior Shootings:
Field Training Officer Emp # [redacted]	Last Name WALDO		First Name BRUCE	M.I.
Field Training Officer Emp # [redacted]	Last Name GOREE		First Name JOSEPH	M.I.

E ___

Employee #	Last Name		First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):	
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:	
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #	Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:	
Age: Height: Weight:				
Range Qualification Date:	PPC Qualification Date:		Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐	Number of Prior Shootings:
Field Training Officer Emp #	Last Name		First Name	M.I.
Field Training Officer Emp #	Last Name		First Name	M.I.

E ___

Employee #	Last Name		First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):	
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:	
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #	Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:	
Age: Height: Weight:				
Range Qualification Date:	PPC Qualification Date:		Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐	Number of Prior Shootings:
Field Training Officer Emp #	Last Name		First Name	M.I.
Field Training Officer Emp #	Last Name		First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 403-04787-0375-055

Suspect Information

S 1

Last Name UNKNOWN		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make NONE		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED NON-HIT SHOOTING
IAB SH 2088373
URN: 403-04787-0375-055

On Sunday, May 18, 2003, Sergeants William Hines and Elier Morejon and Lieutenant Rick Jennings of the Internal Affairs Bureau responded to [redacted] 105th Street, Lennox, regarding a Deputy Involved Non-Hit Shooting involving Lennox Station personnel.

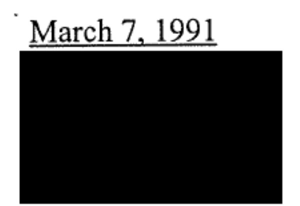
The summary of this incident is based on information obtained from interviews of the involved employees and witnesses, and related reports. **Refer to Exhibit A-Crime Report written by Deputy Doug Kimura**

<u>INVOLVED PERSONNEL:</u>

<u>GARRIDO,</u> Joseph, Deputy, #[redacted]
Lennox Station
Field Operations Region II

<u>EMPLOYEE WORK HISTORY:</u>

<u>GARRIDO,</u> Joseph

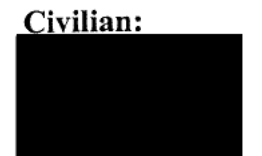
Date of Employment:	<u>March 7, 1991</u>
Date assigned to Patrol:	 [redacted]
Completed Patrol Training:	
Prior Shooting Incidents:	
Prior Founded Force Incidents:	

<u>SUSPECT:</u>

UNKNOWN- The suspect/shooter fled after the shooting incident and was not located.

<u>WITNESSES:</u>

Sworn:
Deputy Christopher T. Lio

Civilian:

[redacted]

INJURIES:

No deputies were injured during this incident. It is unknown if the suspect was injured.

PHYSICAL EVIDENCE:

Three shell casings from Deputy Garrido's duty weapon was recovered at the scene. The expended rounds were not recovered. One fired bullet was recovered from the street in front of [redacted] Street, however, it was not determined if it was the suspect's round or one of Deputy Garrido's rounds **Refer to Exhibit B-Supplemental Report on the recovery of the shell casings/evidence, Exhibit C-Photographs of the location of the shell casings/evidence and Exhibit D-Scene Diagram**

INVESTIGATOR OBSERVATIONS:

The location of the shooting was [redacted] 105th Street, Lennox. It is a residential area with single family houses as well as apartment buildings also on the same street, next to the shooting incident. **Refer to Exhibits E-Photographs of the area**

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Garrido fired three rounds from his duty weapon: **Beretta 9mm Luger Caliber, Model 92FS, double action semiautomatic pistol, Serial Number BER013502Z**

On the date of the shooting, in the presence of Deputy Garrido, Internal Affairs Bureau investigators Sergeants William Hines and Elier Morejon, took possession of Deputy Garrido's duty weapon and cleared it of all ammunition. There was one round in the chamber and twelve rounds in the magazine. He said he normally carries his weapon with one round in the chamber and fifteen in the magazine. The weapon was transported to the Crime Lab by Sergeant Morejon. Deputy Garrido's two additional magazines were fully loaded with fifteen rounds each.

The weapon was examined, test fired, and found to be functional by Firearms Examiner James Carroll. **Refer to Exhibit F-Firearms Examiner Report**

WEAPONS USED BY SUSPECT:

Unknown type handgun

PROPERTY DAMAGE:

None

CRIMINAL INVESTIGATOR/CHARGES FILED:

None-Suspect fled the area.

LIGHTING AND WEATHER CONDITIONS:

This incident occurred during daylight of the late afternoon hours. The weather was cool and clear.

INVOLVED EMPLOYEE'S STATEMENTS:

DEPUTY JOSEPH GARRIDO

Deputy Garrido was interviewed at the scene of the shooting on May 19, 2003, at 0011 hours by Sergeants William Hines and Elier Morejon. He did not chose to have an attorney present during the interview. Additionally, the interview was audio and video taped. **Refer to Exhibit G-Video tape of walk through of incident**

The interview was summarized as follows:

Deputy Garrido told Internal Affairs Bureau investigators that at the time of the incident, he was assigned to Lennox Station. He was working with his partner, Deputy Christopher Lio, in Unit 31E. They started their shift at [redacted] hours. Deputy Garrido was the driver and Deputy Lio was the bookman.

Deputy Garrido and his partner were traveling eastbound on the 1400 block of a 105th Street which is a known hangout for UG (Underground Crip) gang members. At [redacted] they saw ten to twelve gang members "hanging out." Deputy Garrido continued eastbound about thirty to forty feet and looked in his rear view mirror and saw a male Black, who matched the description of a recent 187 suspect, and goes by the name of "[redacted]" walk out of the gate at [redacted] Deputy Garrido backed the patrol car several feet and asked the male to step to the hood of the car. Unsure if the male was in fact "[redacted]" Deputy Garrido immediately handcuffed the possible suspect pending further investigation. As Deputy Garrido was conducting a pat down search of the possible suspect, he heard four to seven gunshots which sounded extremely close by just to his east. Deputy Garrido passed the handcuffed possible suspect over to Deputy Lio and immediately started running in a southeast direction on 105th Street. Deputy Garrido said he believed that either the group of ten to twelve UG gang members or two other unknown males who were standing nearby in a driveway were shooting at him and his partner. Deputy Garrido immediately began looking for cover and see where the shots were coming from. Deputy Garrido said he saw, "everybody running... there's people scattering all over the place." Deputy Garrido believed at this point, his partner was still at the patrol car.

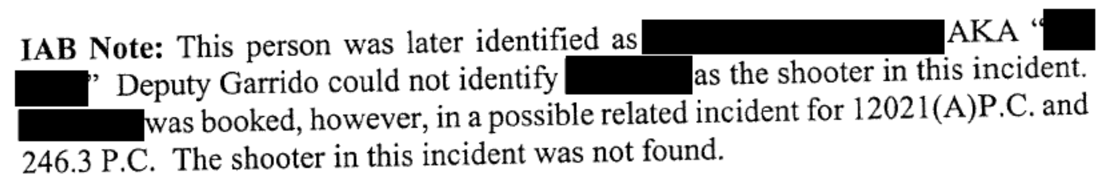
Deputy Garrido continued in a southeast direction in order to contain the shooter, determine where

the shooter was shooting from and to split from his partner "just in case he's shooting at us to separate myself from endangering both of us." At this point, Deputy Garrido had not identified who the shooter was, nor where the shooter was firing from. As Deputy Garrido continued running, he saw "a male Black wearing a white t-shirt and dark pants holding a gun... running with a gun." This male Black was running westbound on the north sidewalk at [redacted] 105th Street. Deputy Garrido continued to explain that this male Black was right at the west end of the garage near a wrought iron fence at [redacted] 105th Street. Deputy Garrido said, "He's got the gun. I identify him. The rounds just went off, so I fire three rounds in his direction, fearing for my life, fearing that he was either shooting at me or my partner." After Deputy Garrido fired three rounds, the shooter quickly turned and ran northbound behind a wrought iron fence and into the driveway at [redacted] 105th Street.

> **IAB Note:** It was later determined through follow-up questions and the location of Deputy Garrido's shell casings **(Exhibit C)**, that the distance between Deputy Garrido and the shooter was approximately 170 feet (or about 56 yards) when Deputy Garrido fired. **Refer to Exhibit D-Scene Diagram**

After firing at the shooter, Deputy Garrido continued running eastbound on the south sidewalk of 105th Street. He took cover behind some parked cars just across from the apartments at [redacted] 105th Street, the last known location of the shooter. At this point, Deputy Garrido continued to maintain his cover behind the cars and watched for the suspect. Deputy Lio was still at the patrol car during this time and yelled for Deputy Garrido to get in the patrol car. Deputy Lio drove the patrol car east on 105th Street, toward Deputy Garrido. Deputy Garrido maintained his cover position. Deputy Garrido said that he put out a broadcast that he had been involved in a shooting and requested assistance. **Refer to Exhibit H-Audio tape of radio traffic**

As Deputy Garrido maintained his cover position, Deputy Lio ran past Deputy Garrido on the sidewalk and took cover behind some other cars. At this point, Deputy Garrido saw a heavyset, male Black, wearing a white t-shirt and dark pants, walk out on the apartment balcony at [redacted] 105th Street. The male Black told Deputy Garrido that he had just been shot. Deputy Garrido ordered the person to walk down to the driveway. He then proned the person down on the driveway.



> **IAB Note:** This person was later identified as [redacted] AKA "[redacted]" Deputy Garrido could not identify [redacted] as the shooter in this incident. [redacted] was booked, however, in a possible related incident for 12021(A)P.C. and 246.3 P.C. The shooter in this incident was not found.

During follow-up questions with Deputy Garrido, he explained that when he saw the shooter running and holding a gun in his right hand and he had just heard several rounds fired, Deputy Garrido firmly believed that the shooter was firing at him and his partner in an attempt to distract them and allow the possible 187 suspect they had detained an opportunity to escape. He was not sure if he was running while he fired his gun. When he fired at the shooter, he believed that his partner was behind him in the patrol car.

> **IAB Note:** The original suspect that Deputies Garrido and Lio had detained and handcuffed fled the scene and was not located. It was determined that he was not the 187 Suspect known as '[redacted]' **Refer to Miscellaneous Documents for Supplemental Reports related to this possible suspect. Also refer to Exhibit I-Supplemental Report written by Deputy Garrido**

WITNESSES STATEMENTS:

Sworn:

DEPUTY CHRISTOPHER LIO

Deputy Lio was interviewed on May 19, 2003, at 0203 hours, at Lennox Station by Internal Affairs Bureau Sergeants William Hines and Elier Morejon. Prior to being interviewed, Deputy Lio read and signed the Admonition for Sworn Witnesses. He stated that he understood the form.

Deputy Lio told Internal Affairs Bureau investigators that at the time of the incident, he was working with his partner, Deputy Joseph Garrido, in Unit 31E. They started their shift at 1400 hours. Deputy Garrido was the driver and Deputy Lio was the bookman.

> **IAB Note:** Prior to the interview, Deputy Lio sketched a diagram of the scene that he referred to during his interview. **Refer to Exhibit J-Diagram sketched by Deputy Lio**

Deputy Lio said he and his partner were driving eastbound on 105th Street and as they drove past [redacted] they looked down the driveway and saw some "UG gangsters hanging out." They also saw a male Black who matched the description of a possible murder suspect. Deputy Garrido backed up and they contacted the possible suspect. Deputy Garrido handcuffed the possible suspect and talked to the possible suspect on the driver's side of the patrol car. They determined that the person they were talking to was not the murder suspect. Deputy Lio said that they were about to release the person when he heard approximately five gunshots coming from the east of their location. Deputy Lio said that he did not see who fired the gunshots. Deputy Garrido immediately pushed the possible suspect toward Deputy Lio. Deputy Lio then "pushed him to the side." At this point Deputy Lio was focused on Deputy Garrido and let the possible suspect go. Deputy Lio said he did not see where the possible suspect went. The possible suspect was also still handcuffed.

Deputy Lio got in the patrol car and drove eastbound on 105th Street. Deputy Garrido was in front of Deputy Lio and still on foot, also headed eastbound in the middle of the street. At this point, while he was inside the patrol car, Deputy Lio heard three more gunshots, however, he did not know who fired these three rounds. Deputy Lio said that there was not any communication between him and Deputy Garrido at this point.

IAB Note: Deputy Lio said he found out a short time later while taking cover with Deputy Garrido that Deputy Garrido fired the last three rounds. Deputy Garrido told Deputy Lio that he fired because he thought they were being fired at. Deputy Lio added that he also thought they were being fired upon.

Deputy Lio saw that Deputy Garrido had his weapon drawn and was focused on an apartment building at [redacted] 105th Street. Deputy Lio drove a short distance and stopped just west of [redacted] 105th Street. **Refer to Exhibit J-Diagram by Deputy Lio and Exhibit K-Photographs of the position of the radio car**

Indicating on his diagram, Deputy Lio said he got out of the patrol car and focused on the apartment building at [redacted] 105th Street. Deputy Lio saw another car going in reverse eastbound on 105th Street and cross Normandie Avenue. The car did not have a driver. He also noticed one of its doors were open but he could not recall which one. He walked toward the apartment building. Deputy Garrido was on the south side of the street across from the apartment building taking cover behind a parked car. Deputy Lio said that he saw a male Black in a white t-shirt, reaching for his waistband, run down the driveway of [redacted] 104th Street. Deputy Lio said that he saw that the suspect was limping while he was running. Deputy Lio ran past the mouth of the driveway to maintain a visual on the male Black, however, he lost sight of the suspect.

IAB Note: Deputy Lio was asked if he felt it was safe to run across the mouth of the driveway where the suspect had just run. Deputy Lio said that he felt safe because he had his weapon drawn at the time he ran across the mouth of the driveway.

At this point, assisting units arrived and set up a containment of the area and Deputy Lio took cover with Deputy Garrido. As soon as Deputy Lio reached Deputy Garrido's position of cover, he looked back toward the apartment building and saw a male Black on the ground in front of the building. Deputy Lio said he did not know if this was the same male Black he earlier saw run down the driveway.

The male Black (Later identified as [redacted] was treated by paramedics and taken to the hospital.

Deputy Lio related near the end of the interview that the sound of the gunshots was "surreal" to him.

Refer to Exhibit L-Supplemental Report written by Deputy Lio

WITNESSES STATEMENTS:

Civilian:

[redacted]

Ms. [redacted] lives at [redacted] At the time of the incident she was next door at her [redacted] house at [redacted] She related that some time after 6 p.m. she looked out the dining room window and saw a deputy running eastbound on 105th Street. She saw him fire twice toward the east. She did not see who the deputy was shooting at. She also saw other people in the street at the time. The deputy took cover behind a car just to the east of her location. The car was parked near the south curb of 105th Street. She said she thought the deputy was taking cover in order to protect himself from whoever was shooting at him. She did not hear any shots prior to seeing the deputy fire and she did not hear any shots after the first two.

It was Ms. [redacted] opinion that the deputy was firing his weapon in order to protect himself from the person who was shooting at him.

She later saw a person that she knows as [redacted] (Suspect [redacted]) walk from the apartments at [redacted] W. 105th Street. The deputies ordered him to the ground. Paramedics later arrived and treated "[redacted]"

[redacted]

Ms. [redacted] is Witness [redacted] She lives at [redacted] and was inside her home with [redacted] at the time of the incident. Sometime around 6 p.m. she heard what she thought were three firecrackers. She asked [redacted] if what she heard were gunshots and [redacted] said, "Yes!" She then heard more gunshots. She thought the shots were coming somewhere from the [redacted] of her location. [redacted] said she ducked down. A short time later she looked out her dining room window and saw a patrol car in the street. She also saw deputies by the apartments at [redacted] W. 105th Street. She also saw a man walk from the apartment who was limping. The deputies ordered him to the ground.

It was determined that [redacted] did not see the shooting.

[redacted]

[redacted] lives at [redacted] from the shooting incident. He said he was home at the time of the shooting. He was inside and heard a gunshot coming from the area of 105th Street and Normandie Avenue. He looked out his window and saw a male Black who he knows as "[redacted]" (Suspect [redacted]) in a blue Ford Taurus southbound on Normandie Avenue at 105th Street. Witness [redacted] said he saw [redacted] start "busting" approximately three or four shots out the driver's side window with his left hand. [redacted] then turned westbound on 105th

Street and appeared to be startled. Witness [redacted] heard three or four more gunshots, but did not see who fired the shots. '[redacted]' got out of the car and ran northbound on Normandie Avenue.

Witness [redacted] did not see any deputy fire his weapon at any time during the incident. **Refer to Miscellaneous Documents for the Supplemental Reports regarding Witness [redacted] interview and information on Suspect [redacted].**

NEIGHBORHOOD CANVAS

A canvas of the neighborhood was conducted for additional witnesses by several deputies. Several residents were contacted, however, no one witnessed the actual shooting, they only heard several shots being fired. **Refer to Miscellaneous Documents for the Supplemental Reports regarding the neighborhood canvas.**

SUSPECT STATEMENTS:

None-Suspect fled scene and was not located.

MISCELLANEOUS

Although it appeared in this case that Suspect [redacted] was the possible shooter in this case, neither Deputy Garrido nor Deputy Lio could identify him as the shooter. Additional investigation did not conclude that Suspect [redacted] was the shooter. On June 4, 2003, District Attorney John Breault of Inglewood Court rejected filing charges of 12021 P.C. and 246.3 P.C. against Suspect [redacted]